

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

FILED  
CHARLOTTE, NC  
MAR 23 2018

DOCKET NO. 3:17cr273-RJC

US DISTRICT COURT  
WESTERN DISTRICT OF NC

UNITED STATES OF AMERICA )  
v. ) CONSENT ORDER AND  
BENJAMIN ABRAHAM, a/k/a Yaniel ) JUDGMENT OF FORFEITURE  
Ben-Abraham, a/ka/a Yaniel Benabraham, ) PENDING RULE 32.2(c)(2)  
a/k/a Yaniel Benabraham )

BASED UPON the Defendant's plea of guilty and finding that there is a nexus between the property listed below and the offense(s) to which the Defendant has pled guilty and that the Defendant (or any combination of Defendants in this case) has or had a possessory interest or other legal interest in the property, IT IS HEREBY ORDERED THAT:

1. The following property is forfeited to the United States pursuant to 18 U.S.C. §§ 981 and 982, and/or 28 U.S.C. § 2461(c), provided, however, that forfeiture of specific assets is subject to any and all third party petitions under 21 U.S.C. § 853(n), pending final adjudication herein:

**A forfeiture money judgment in the amount of \$2,167,454, such amount constituting the proceeds that Defendant personally obtained as a result of the offense/s to which Defendant has pled guilty. Defendant stipulates that the Government may satisfy the money judgment via forfeiture of proceeds and/or substitute property as defined in 21 U.S.C. § 853(p). For purposes of forfeiture under Section 853(p), Defendant stipulates that, as a result of acts or omissions of Defendant, one or more provisions of Section 853(p)(1)(A)-(E) are satisfied;**

**Any and all interest in Benjamin Diamonds, LLC; Benjamin Jewelers, LLC; Global Trading, LLC; G&I USA, LLC; and Benjamin Private Jewelers; and**

**The following items inventoried on August 7, 2017 at the office of Benjamin Private Jewelers, 5950 Fairview Road, Suite 500, Charlotte, NC:**

- 1. Item number JR767-132, identified as (wg) 3 row infinity band with 2.28 tw diamonds;**
- 2. Item number JR618-37, identified as (14yg) 6.75 ct light blue natural sapphire with .18 tw diamonds;**

- 3. Item number JR707-47, identified as 24.12 lavender stone with .26 tw diamond, 18rg;**
- 4. Item number unknown, identified as clover diamond yellow gold band, 18rg;**
- 5. Item number JR786-84, identified as 1.52 tw butterfly cluster ring;**
- 6. Item number JE602-95, identified as 1.69 ctw pear shape cluster earrings;**
- 7. Item number JE404-30, identified as .20 tw bezel set brown stones in fashion earrings;**
- 8. Item number JP178-55, identified as 1.25 tw brown and white diamond pear shape pendant;**
- 9. Item number JE805-05, identified as .10 tw bezel diamond studs;**
- 10. Item number JE603-38, identified as .70 tw circle cluster studs, 18 rg;**
- 11. Item number unknown, identified as amethyst double halo pendant;**
- 12. Item number JR583-126, identified as 2.51 tw amethyst dangle halo earrings;**
- 13. Item number JR568-37, identified as 1.80 tw amethyst halo stud earrings;**
- 14. Item number JN38-85, identified as .67 ct round with .45 tw halo pendant;**
- 15. Item number JN37-62, identified as 1.70 ct amethyst pear shape pendant;**
- 16. Item number JP219-59, identified as .50 ct round in bezel halo pendant;**
- 17. Item number JP198-67, identified as .62 ct round halo pendant;**
- 18. Item number JN40-326, identified as 7.35 ct total weight diamond by the yard necklace;**
- 19. Item number JE807-03, identified as .08 wt 6 prong stud earrings;**
- 20. Item number JE606-68, identified as 1.28 tw hoop pave earrings;**
- 21. Item number JE805-05, identified as .10 tw bezel stud earrings;**
- 22. Item number JE590-53, identified as .85 tw two toned fashion earrings;**
- 23. Item number JR792-78, identified as 1.04 tw bezel 4 row ring;**

- 24. Item number JR534-94, identified as .85 tw square fashion ring;**
- 25. Item number JR784-67, identified as 1.10 tw fashion ring with cluster in the middle;**
- 26. Item number JR729-23, identified as .33 tw X ring;**
- 27. Item number JR726-30, identified as 11.98 ct square topaz;**
- 28. Item number JR778-68, identified as .59 tw emeralds.76 tw diamonds;**
- 29. Item number unknown, identified as 3 ct morganate in bezel ring;**
- 30. Item number unknown, identified as 16 inch pearl necklace;**
- 31. Item number unknown, identified as 16 inch pink pearl necklace;**
- 32. Item number JE599-118, identified as 2.53 tw oval dangle hoops;**
- 33. Item number JB54-60, identified as .65 tw cluster rose gold bangle;**
- 34. Item number JB53-55, identified as 1.65 tw black diamond bangle;**
- 35. Item number JB51-210, identified as 9.02 tw sapphire & 2.50 tw diamond bracelet;**
- 36. Item number JB48-49, identified as .62 tw yellow gold bangle;**
- 37. Item number JB50-49, identified as .59 tw white gold bangle;**
- 38. Item number JB32-65, identified as .26 tw scattered flush set bangle;**
- 39. Item number JB44-105, identified as 2.16 tw tennis bracelet;**
- 40. Item number JB45-140, identified as 2.50 tw bezel tennis bracelet;**
- 41. Item number JE455-140, identified as 1.20 tw two-toned huggie 4 row earrings;**
- 42. Item number unknown, identified as tri color pearl and diamond dangle earrings;**
- 43. Item number JE804-05, identified as .10 tw white gold bezel studs;**
- 44. Item number JE804-05, identified as .10 tw white gold square bezel studs;**

- 45. Item number JE804-05, identified as .10tw white gold round dome bezel studs;**
- 46. Item number JE584-46, identified as .64 tw small hoop earrings;**
- 47. Item number JE429-38, identified as .55 tw small hoop earrings;**
- 48. Item number JE530-50, identified as .86 tw hoop earrings;**
- 49. Item number JR730-33, identified as .54 tw flower band;**
- 50. Item number JR731-15, identified as .40 tw rose gold half way infinity band;**
- 51. Item number JR662-12, identified as .15 tw bezel ring;**
- 52. Item number JR661-18, identified as .30 tw bezel ring;**
- 53. Item number JR452-65, identified as .66 tw circle fashion ring;**
- 54. Item number JR741-57, identified as .71 tw 2 row bezel ring;**
- 55. Item number JE600-59, identified as 1.83 tw black diamond dangle earrings;**
- 56. Item number JE599-26, identified as .49 tw pave huggie hoops;**
- 57. Item number JE606-79, identified as 1.02 tw pear shape aqua & .76 tw diamond earrings;**
- 58. Item number JP207-54, identified as 2 ct black princess diamond pendant;**
- 59. Item number JP226-28, identified as .37 ct round sapphire halo pendant;**
- 60. Item number JE604-30, identified as .64 ctw diamond studs;**
- 61. Item number JE478-26, identified as .56 tw diamond onyx earrings;**
- 62. Item number JE330-13, identified as sapphire and diamond antique earrings;**
- 63. Item number JE400-61, identified as 1.93 tw black and white diamond fashion earrings;**
- 64. Item number JE601-133, identified as 2.38 ctw cluster dangle hoop earrings;**
- 65. Item number JE585-95, identified as 1.64 tw hoop earrings;**

- 66. Item number JR696-125, identified as 1.62 ct emerald cut sapphire with .85 tw diamond ring;**
- 67. Item number JR617-4, identified as 7.01 ct sapphire diamond ring;**
- 68. Item number JR384-63, identified a 1.91 ct marquis tanzanite diamond ring;**
- 69. Item number JR809-37, identified as carter band;**
- 70. Item number JR776-68, identified as .71 ctw sapphire and .76 ctw diamond ring;**
- 71. Item number JN39-79, identified as .85 ctw diamond by the yard necklace;**
- 72. Item number JP218-94, identified as .71 ct round in square halo pendant;**
- 73. Item number JE598-19, identified as ps topaz and diamond dangle earrings;**
- 74. Item number JP227-10, identified as ps topaz and diamond pendant;**
- 75. Item number JE806-05, identified as garnet bezel studs in yellow gold;**
- 76. Item number JR338-18, identified as 18.98 ct radiant white topaz;**
- 77. Item number JR603-120, identified as 3.12 ct pink sapphire diamond ring;**
- 78. Item number JR544-88, identified as 2.38 ct red spinel diamond ring;**
- 79. Item number JR642-40, identified as 1.98 ct oral amethyst diamond ring;**
- 80. Item number JR439-80, identified as 4.43 ct lolite and pave diamond ring;**
- 81. Item number JR758-77, identified as 1.12 ct cushion tanzanite diamond flower ring;**
- 82. Item number JR745-65, identified as 2.74 citrine in diamond ring and yellow sapphire;**
- 83. Item number JR753-135, identified as 4.19 ct oral tanzanite with .69 tw trap;**
- 84. Item number JP190-72, identified as 14.49 pear shape ruby halo pendant;**

- 85. Item number JP221-50, identified as 14 x 10 tourmaline halo pendant;**
- 86. Item number JR803-35, identified as .56 tw eternity ring;**
- 87. Item number JR805-35, identified as .78 tw eternity band;**
- 88. Item number JR790-63, identified as 1.84 tw eternity band;**
- 89. Item number JR715-12, identified as .60 tw sapphire eternity band;**
- 90. Item number JR712-20, identified as .40 ctw eternity in yellow gold;**
- 91. Item number JR712-20, identified as .44 ctw eternity band;**
- 92. Item number JR710-20, identified as .90 ctw sapphire eternity band;**
- 93. Item number JR704-36, identified as 1.38 ctw green stone eternity band;**
- 94. Item number JR713-15, identified as .40 ctw emerald eternity band;**
- 95. Item number JR506-61, identified as 1.10 ctw flush set eternity band;**
- 96. Item number JR676-22, identified as .40 ctw marquis shape eternity band;**
- 97. Item number JR616-45, identified as .66 tw halo 5 stone band;**
- 98. Item number JR781-33, identified as .40 tw bezel eternity band;**
- 99. Item number JR672-33, identified as 1.41 ct 5 stone sapphire band;**
- 100. Item number JR768-43, identified as 1.26 ctw sapphire diamond halo band;**
- 101. Item number JR712-20, identified as .44 tw rose gold eternity band;**
- 102. Item number JR798-23, identified as .28 tw diamond curved band;**
- 103. Item number JR747-39, identified as .47 tw diamond semi mount;**
- 104. Item number JR647-32, identified as .30 ctw 1/2 way band;**

- 105. Item number JR770-35, identified as .42 tw semi mount;**
- 106. Item number JR746-41, identified as .54 tw semi mount;**
- 107. Item number JR641-71, identified as .67 princess in halo mount;**
- 108. Item number JR739-55, identified as .70 ctw semi mount;**
- 109. Item number JR788-35, identified as .44 tw semi mount;**
- 110. Item number JR780-55, identified as .75 tw semi mount;**
- 111. Item number JR496-58, identified as .53 tw semi mount;**
- 112. Item number JR582-59, identified as .76 tw semi mount;**
- 113. Item number JR462-41, identified as .66 tw semi mount;**
- 114. Item number JR795-56 identified as .64 tw semi mount;**
- 115. Item number JR774-38, identified as .45 tw semi mount;**
- 116. Item number JR808-68, identified as 1.33 tw semi mount;**
- 117. Item number JR796-39, identified as .47 tw semi mount;**
- 118. Item number JR737-35, identified as .44 tw semi mount;**
- 119. Item number JR775-58, identified as .61 tw semi mount;**
- 120. Item number JR742-75, identified as .95 tw semi mount;**
- 121. Item number JR517-48, identified as .40 tw semi mount;**
- 122. Item number JR468-53, identified as .79 tw semi mount;**
- 123. Item number JR806-28, identified as .46 tw semi mount;**
- 124. Item number JR722-52, identified as .55 tw semi mount;**

- 125. Item number JR801-32, identified as .42 tw semi mount;**
- 126. Item number JR754-40, identified as .47 tw semi mount;**
- 127. Item number JR799-53, identified as .74 tw semi mount;**
- 128. Item number JR738-50, identified as .54 tw semi mount;**
- 129. Item number JR772-34, identified as .41 tw semi mount;**
- 130. Item number JR695.40, identified as .72 tw semi mount;**
- 131. Item number JR794-35, identified as .39 tw semi mount;**
- 132. Item number JR469-42, identified as .49 tw semi mount;**
- 133. Item number JR791-83, identified as 1.29 tw semi mount;**
- 134. Item number JR807-45, identified as .64 tw semi mount;**
- 135. Item number JR804-40, identified as .27 tw semi mount;**
- 136. Item number JR744-59, identified as .75 tw semi mount;**
- 137. Item number JR761-46, identified as .56 tw semi mount;**
- 138. Item number JR749-64, identified as .60 tw semi mount;**
- 139. Item number JR526-48, identified as .62 tw semi mount;**
- 140. Item number JR779-53, identified as .67 tw semi mount;**
- 141. Item number JR691-41, identified as .54 tw semi mount;**
- 142. Item number unknown, identified as 3 sapphire criss cross diamond ring.**

2. If and to the extent required by Fed. R. Crim. P. 32.2(b)(6), 21 U.S.C. § 853(n), and/or other applicable law, the United States shall publish notice and provide direct written notice of forfeiture.

3. Pursuant to Fed. R. Crim. P. 32.2(b)(3), upon entry of this order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate, or dispose of

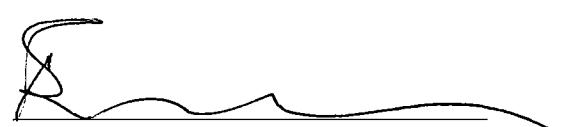
the property, including depositions, interrogatories, and requests for production of documents, and to issue subpoenas pursuant to Fed. R. Civ. P. 45.

4. A forfeiture money judgment shall be included in the defendant's sentence, and the United States may take steps to collect the judgment from any property of the defendant, provided, the value of any forfeited specific assets shall be credited toward satisfaction of this money judgment upon liquidation.

The parties stipulate and agree that the aforementioned asset(s) constitute property derived from or traceable to proceeds of defendant's crime(s) herein and are therefore subject to forfeiture pursuant to 18 U.S.C. §§ 981 and 982, and/or 28 U.S.C. § 2461(c). The defendant hereby waives the requirements of Fed. R. Crim. P. 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment against defendant. If the defendant has previously submitted a claim in response to an administrative forfeiture proceeding regarding any of this property, defendant hereby withdraws that claim. If defendant has not previously submitted such a claim, defendant hereby waives all right to do so.

DANA WASHINGTON  
UNITED STATES ATTORNEY

  
DANIEL RYAN, ESQ.  
Assistant United States Attorney

  
BENJAMIN ABRAHAM  
Defendant

  
W. ROB HEROY, ESQ.  
Attorney for Defendant

Signed this the 23 day of March, 2018

  
UNITED STATES MAGISTRATE JUDGE